

REMARKS

In response to the Notification of Missing Requirements, Applicant encloses a copy of the Declaration and Transmittal Letter as filed on May 29, 2001 prior to Applicant being aware of this Notice. Since the fee for late filing the declaration was paid therewith, Applicant submits no further action is needed in this regard.

In response to the Notification to Comply, Applicant submits herewith a diskette with the Sequence Listing in Computer Readable Form ("CRF") as required under 37 C.F.R. §1.821(e). The first page of the Sequence Listing has been amended to recite the attorney of record's docket number and to provide application number and filing date of this application.


Applicant hereby states that the sequence information recorded in computer readable form is identical to the paper copy in the specification, as required under 37 C.F.R. §1.821(f). This submission contains no new matter as required under 37 C.F.R. §1.821(g).

The Commissioner is hereby authorized to credit any overpayment or charge any deficiency to our Deposit Account No. 08-0219.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

August 10, 2001


M. Lisa Wilson
Reg. No. 34,045

Hale and Dorr, LLP
300 Park Ave.
New York, NY 10022
Tel.: 212-937-7200
Fax: (212) 937-7300
Direct Line: (212) 937-7258



APPENDIX 1
CLEAN VERSION

SEQUENCE LISTING

<110> THE UNIVERSITY OF QUEENSLAND

<120> PHENOTYPE MODIFYING GENETIC SEQUENCES

<130> 111590-120

<140> 09/701,926

<141> December 4, 2000

<150> PP3901

<151> 1998-06-04

<150> PP6174

<151> 1988-09-25

<150> PP6169

<151> 1998-09-25

<150> PP3903

<151> 1998-06-04

<160> 39

<170> PatentIn Ver. 2.0

<210> 1

<211> 1217

<212> DNA

<213> Tomato

<400> 1

```
tttgaaat ttt atgtat tttat ctatag catt agaaactata agagttgtta gcttcacttg 60
gcttactgtt gtgctcaaag caacttcac atcacacagt atggttttga tatgctcttc 120
cattatcact gagccttatg attatgtttt acgagcttat aatatcactg atgggtgattc 180
agtattgtga ttatgtcctt cgttgattat tctgtttcat acaagtcgtg taatttgctg 240
tttgtgacag tacgatagat cgactcaacc ttctgaggta ttagttgaag ttcattgtaa 300
ttagctttgt ttatcatagt agcatttgat tattgatgct ctgtagctaa tgataagcca 360
ttggagggaa gcaagctttc taaatgaatc tacgaatgga tgataaagtt catgaatatt 420
tttgttactt ctgcagtcag atcatgagtt attgagctta ttgttttttt aagcctggtt 480
cagatgatcc atcatcagta acaacatata cgggtgtagt ccaaatccat catatgcacc 540
ttcttttctt caatttggtc ttgttttttt tttttcatga tgtcattgaa ttattcaaga 600
agtcacttcg agcataatga tttttcaaaa tccacctttg ttcaagcact accacgtctt 660
ttcatctagc ccacaaccgt ggtggaggat ctagaat ttt catgaaagga ttcaaaat t 720
acaaacatat atatacata tacactatga atccactaat actagatggg gcacctgtgc 780
ccccactcat gtgaaagcct attctcaatt ttttat tttc cacaacttaa atacagaccg 840
cacaactccc gtgtcttggtg tgcctcgtcg tcagcatgca agtcgagaaa agaaagacca 900
aaacaatgaa aacttttacga aaaatcaaaa agttgaagga ctttaacgtc gagatctctc 960
gtagaaaacc tcttttgtaa ggttgcatat aatacttttt tttcagactt tacttatggg 1020
attatactga atatgttatt gctgttatag tagttgagtg acgtttgagg gaatttctag 1080
tccgttaatc ttgtactcag tgtgtctact tttcaaaaaa gtcagttttt cagtctctaa 1140
```

APPENDIX 2
MARKED-UP VERSION

SEQUENCE LISTING

<110> THE UNIVERSITY OF QUEENSLAND

<120> PHENOTYPE MODIFYING GENETIC SEQUENCES

<130> [2185446/EJH] 111590-120

<140> 09/701,926

<141> December 4, 2000

<150> PP3901

<151> 1998-06-04

<150> PP6174

<151> 1988-09-25

<150> PP6169

<151> 1998-09-25

<150> PP3903

<151> 1998-06-04

<160> 39

<170> PatentIn Ver. 2.0

<210> 1

<211> 1217

<212> DNA

<213> Tomato

<400> 1

tttgaaat t atgtat tttat ctatagcatt agaaactata agagttgtta gcttcacttg 60
gcttactgtt gtgtctaaag caacttcac atcacacagt atggttttga tatgctcttc 120
cattatcact gaggcttatg attatgtttt acgagcttat aatatcactg atgggtgattc 180
agtattgtga ttatgtcctt cgttgattat tctgtttcat acaagtcgtg taatttgctg 240
tttgtgacag tacgatagat cgactcaacc ttctgaggta ttagttgaag ttcattgtaaa 300
ttagctttgt ttatcatagt agcatttgat tattgatgct ctgtagctaa tgataagcca 360
ttggagggaa gcaagctttc taaatgaatc tacgaatgga tgataaagtt catgaatatt 420
tttgttactt ctgcagtcag atcatgagtt attgagtcta ttgttttttt aagcctgttt 480
cagatgatcc atcatcagta acaacatata cgggtgtagt ccaaattccat catatgcacc 540
ttctttttct caattttggc ttgttttttt tttttcatga tgtcattgaa ttattcaaga 600
agtcacttcg agcataatga tttttcaaaa tccaccttg ttcaagcact accacgtctt 660
ttcatctagc ccacaaccgt ggtggaggat ctagaatttt catgaaagga ttcaaaat t 720
acaaacatat atatacacta tacactatga atccactaat actagatggg gcacctgtgc 780
ccccactcat gtgaaagcct attctcaatt ttttattttc cacaacttaa atacagaccg 840
cacaactccc gtgtcttggtg tgcctcgtgc tcagcatgca agtcgagaaa agaaagacca 900
aaacaatgaa aacttttacga aaaatcaaaa agttgaagga ctttaacgtc gagatctctc 960
gtagaaaacc tctttttgtaa ggttgcatat aatacttttt tttcagactt tacttatggg 1020
attatactga atatgttatt gctgttatag tagttgagtg acgttttgagg gaattttctag 1080
tccgttaatc ttgtactcag tgtgtctact tttcaaaaaa gtcagttttt cagtctctaa 1140